

6 FAM 1930

LOCAL TRANSPORTATION

*(CT:GS-176; 07-12-2013)
(Office of Origin: A/OPR/GSM)*

6 FAM 1931 DEPARTMENT VEHICLES

6 FAM 1931.1 General

6 FAM 1931.1-1 Department of State Employees

*(CT:GS-176; 07-12-2013)
(State Only)*

- a. Department of State motor pool vehicles are available to all Department of State employees for official business. These vehicles are a required first source for local transportation.
- b. Priority will be as follows due to the limited availability of resources:
 - (1) Under Secretaries;
 - (2) Assistant Secretaries;
 - (3) Deputy assistant secretaries or their equivalents; and
 - (4) All others, on a first-come, first-served basis.
- c. Other means of transportation should only be utilized when:
 - (1) Department vehicles are unavailable;
 - (2) Department shuttle buses do not accommodate the destination;
 - (3) The trip is less than six blocks or more than 25 miles; and
 - (4) The use of commercial or private transportation proves to be more cost effective.

NOTE: The use of a U.S. Government vehicle for trips of 25 miles or more must be approved by the Office of Claims (*CGFS/F/C*).

6 FAM 1931.1-2 Department of State Contractor Personnel

*(TL:GS-150; 09-26-2005)
(State Only)*

- a. Department of State contractor personnel may utilize U.S. Government

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vehicles:

- (1) Only when the contract under which the individual is working specifically states that the U.S. Government is responsible for providing vehicles for the contractor's use in performance of the contract. Such contracts must specifically state:
 - (a) All terms and conditions of the contractor's use of the vehicle in performance of contract requirements (e.g., fueling and operator maintenance requirements, data and accident reporting, key control, liability for vehicle damage and third-party tort claims, etc);
 - (b) The quantities and types of vehicles to be provided for the contractor's use;
 - (c) Vehicles provided under the terms of the contract may only be used for official purposes in meeting contract requirements;
 - (d) Vehicles provided under the terms of the contract may not be utilized for personal business, including home-to-work transportation;
 - (e) Vehicles provided under the terms of the contract must be operated in a safe, fuel-efficient manner, and in accordance with all Department regulations and local laws; and
 - (f) The contractor's fiscal responsibility for repairs of damage to a vehicle due to neglect, accident, and abuse;
 - (2) Upon prior notification to the motor pool by the contracting officer/contracting officer's representative that the individual is authorized use of the vehicle under the terms of the contract; and
 - (3) Upon presentation to motor pool personnel of a valid driver's license for the type and class of vehicle to be operated.
- b. Due to liability concerns, vehicles under the control of the Department of State may not be loaned to any private individual, organization, business or other non-Department of State entity without prior formal approval of the Office of General Services Management's Fleet Management Operations Division (A/OPR/GSM/FMO).

6 FAM 1931.2 Restrictions on the Use of U.S. Government Vehicles

(CT:GS-164; 06-15-2011)

(State Only)

- a. 31 U.S.C. 1344(a) prohibits the use of a U.S. Government-owned or -leased vehicle for other than official purposes. The law also states that any officer or employee who willfully uses or authorizes the use of a U.S. Government vehicle for other than official purposes will be suspended for at least 1 month without pay by the head of the agency (31 U.S.C. 1349(b)).

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- b. [31 U.S.C. 1344](#)(a)(1) specifically excludes transportation of officers or employees between their residences and places of employment from the definition of "official use" except as prescribed in other sections of [31 U.S.C. 1344](#). The only individuals in the Department of State who are authorized by statute to use a U.S. Government vehicle for home-to-work transportation are the Secretary, the U.S. Representative to the United Nations, and principal diplomatic and consular officials abroad. While the President has the statutory authority to authorize home-to-work transportation for up to ten additional officers or employees of Federal agencies, no such additional authority has been issued to any individuals in the Department of State.
- c. [31 U.S.C. 1344](#) (a)(2)(A) and [31 U.S.C. 1344](#) (a)(2)(B) authorize the Secretary to issue a written determination of "official use" for transportation between the residence of an officer or employee and a location that is:
 - (1) Required for the performance of field work, to the extent that such field work will substantially increase the efficiency and economy of the U.S. Government; or
 - (2) Essential for the safe and efficient performance of intelligence, counterintelligence, protective services, or criminal law enforcement duties.
- d. [31 U.S.C. 1344](#) (b)(3)(B) authorizes the Secretary to authorize home-to-work transportation for a single principal deputy when the Secretary deems such transportation appropriate; the Secretary has bestowed this authorization on the Deputy Secretary of State.
- e. A passenger carrier may be used to transport between residence and place of employment any person for whom protection is specifically authorized pursuant to 18 U.S.C. 3056(a) or for whom transportation is authorized pursuant to section 28 of the State Department Basic Authorities Act of 1956, section 2637 of Title 10, or section 8(a)(1) of the Central Intelligence Agency Act of 1949.
- f. Compelling need: [31 U.S.C. 1344](#) (b)(9) authorizes the use of a U.S. Government vehicle for transport between residence and place of employment for an officer or employee with regard to whom the Secretary makes a determination that highly unusual circumstances present a clear and present danger, that an emergency exists, or that other compelling operational considerations make such transportation essential to the conduct of official business:
 - (1) Such determinations must be in effect for not more than 15 calendar days;
 - (2) Authorizations must be in writing and must include the name and title of the officer or employee affected, the reason for such determination, and the duration of the authorization for such officer or employee to use the vehicle for home-to-work transportation;
 - (3) If the compelling need extends or may extend for a period in excess of 15 calendar days, the Secretary must determine whether the initial authorization must be extended in excess of 15 calendar days for a period

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of not more than 90 additional calendar days; and

- (4) The authority to make designations based on compelling need may not be delegated, and no designation or determination under this section may be made solely for the comfort or convenience of the officer or employee.
- g. Congressional notification: [31 U.S.C. 1344](#) (d)(4) requires that notification of home-to-work authorization for the single principal deputy and for each compelling need designation or determination must be transmitted promptly to the Committee on Government Operations of the House of Representatives and to the Committee on Governmental Affairs of the Senate. For the principal deputy designation, the notice to Congress must contain the name and title of the individual. Compelling need notifications to Congress must include the name and title of the officer or employee affected, the reason for the determination, and the expected duration of the authorization.
- h. Documentation:
- (1) Each Federal agency must maintain logs or other records necessary to establish the official purpose for U.S. Government transportation provided between an individual's residence and such individual's place of employment pursuant to this section;
 - (2) The individual being transported must fill out and maintain Form OF-108, Daily Vehicle Use Record, or other vehicle logs necessary to establish the official purpose for U.S. Government transportation provided between an individual's residence and place of employment. The records or other logs should contain the following information:
 - (a) Name and title of person authorizing use;
 - (b) Name and title of person transported;
 - (c) Passenger carrier information (i.e., make, model, vehicle year and tag number);
 - (d) Date(s) home-to-work transportation is authorized;
 - (e) Location of residence;
 - (f) Duration; and
 - (g) Circumstances requiring home-to-work transportation;
 - (3) The head of the executive office for those officials for whom home-to-work transportation is provided must ensure vehicle records or other vehicle logs are maintained; and
 - (4) For use and control of U.S. Government vehicles at Foreign Service posts, see 14 FAM 430.

NOTE: Secretarial approvals of home-to-work transportation must be in writing and cannot be delegated. It is incumbent upon the vehicle user to ensure that

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proper Secretarial authority is in place prior to utilization of a U.S. Government vehicle for home-to-work transportation.

6 FAM 1931.3 Requests for Vehicle-With-Driver Services

(CT:GS-164; 06-15-2011)

(State Only)

- a. Department of State employees may obtain car and driver services by reservation through the motor pool Dispatch Office. Under Secretaries, Assistant Secretaries, Deputy Assistant Secretaries and their equivalents have priority. Vehicle-with-driver services will be provided only to individuals below the Deputy Assistant Secretary level when they travel in groups of two or more. Due to the limited availability of resources, priority-ranking for reservations will be:
 - (1) Under Secretary;
 - (2) Assistant Secretary;
 - (3) Deputy assistant secretary and equivalent; and
 - (4) All others when traveling in groups of two or more, on a first-come, first-served basis.
- b. Vehicles must be requested via telephone by the requesting executive or administrative office to the Office of General Services Management's Fleet Management Operations Division (A/OPR/GSM/FMO) dispatch office between the hours of 8:15 a.m. and 5:00 p.m., Monday through Friday.
- c. Requests must include the name and title of the person to be transported, the date and time, pick-up location, and destination.
- d. Due to heavy demands on the limited number of vehicles available, it may be necessary to consolidate requests for passengers traveling in the same general direction at approximately the same time. It may also be necessary to cancel a trip to accommodate a higher-ranking official or for other unforeseen reasons such as vehicle breakdowns.
- e. Place requests as far in advance as possible. Passengers must be at the pickup location at the time designated to avoid any inconvenience to others who may be scheduled.
- f. The waiting period on trips will not exceed 15 minutes for pickup locations and return trips. Drivers are not permitted to wait at a destination more than 15 minutes without clearance by the dispatcher.

6 FAM 1932 SHUTTLE BUS SERVICE

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6 FAM 1932.1 Authorization

(CT:GS-176; 07-12-2013)

(State Only)

- a. The use of *Department shuttle buses* is limited to the conduct of official business. *The Transportation Equity Act of 2005 authorizes Federal agencies operating shuttles to transport an officer or employee of a Federal agency between the officer's or employee's place of employment and a mass transit facility (whether or not publicly owned), and subsequently deemed transportation for an official purpose.*
- b. The following individuals are authorized to utilize the Department of State shuttle bus system:
 - (1) Individuals possessing a valid *U.S.* Government identification card (including contractor employees) and their accompanied guests;
 - (2) Individuals possessing a U.S. diplomatic passport and their accompanied guests; and
 - (3) Individuals not falling in either of the *first two* categories who are attending Department events (including classes at the Foreign Service Institute (FSI)) and who possess a shuttle bus guest pass issued by the Office of General Services Management's Fleet Management Operations Division (A/OPR/GSM/FMO).

6 FAM 1932.2 Guest Passes

(TL:GS-150; 09-26-2005)

(State Only)

- a. Guest passes must be obtained in advance from the Office of General Services Management's Fleet Management Operations Division (A/OPR/GSM/FMO).
- b. An individual seeking guest passes will be required to produce a picture ID and to provide sponsor point-of-contact information for verification purposes. The individual must produce a valid guest pass and a photo ID in order to board a shuttle bus. An individual traveling under a guest pass is not authorized to escort other guests; each guest must possess an individual guest pass issued by A/OPR/GSM/FMO.

6 FAM 1932.3 Shuttle Bus Schedules

(TL:GS-150; 09-26-2005)

(State Only)

- a. Schedules of regular shuttle bus service are posted in the D Street lobby of the Harry S Truman (Main State Department) building and on the Bureau of Administration's Intranet Web site.

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- b. Changes to shuttle bus service will be distributed upon implementation by Department notice, followed by a formal change to published schedules in the next reprint.
- c. All scheduled buses pick up and deliver passengers at the D Street entrance.
- d. New shuttle bus routes and changes to existing shuttle bus routes/stops must be established by the Office of General Services Management's Fleet Management Operations Division (A/OPR/GSM/FMO). Questions regarding shuttle bus service should be directed to the A/OPR/GSM/FMO dispatch office.
- e. During periods of inclement weather, heavy traffic, reduced Federal Government operating status (such as during periods of liberal leave or early closure), etc., shuttle buses will operate as close to published schedule times and routes as possible. Shuttle bus services will be discontinued only when the Office of Personnel Management (OPM) announces a total Federal Government closure, or when A/OPR/GSM/FMO determines that road conditions are too hazardous to ensure continued safe transport of passengers.

6 FAM 1933 TAXICABS AND PRIVATELY OWNED AUTOMOBILES

6 FAM 1933.1 Use

(CT:GS-164; 06-15-2011)

(State Only)

- a. When a Department car or other means of transportation approved by the Office of General Services Management's Fleet Management Operations Division (A/OPR/GSM/FMO) is not available or will not meet the need, an employee on official business may hire a taxicab or other special conveyance, or use a privately owned automobile for transportation at the employee's official duty station. Also, an employee may hire a taxicab for travel between office and home when the employee is dependent on public transportation for such travel incident to officially ordered work outside of the employee's regular work hours, and travel is during hours of infrequently scheduled public transportation or darkness.
- b. In addition, privately owned automobiles may be used for official business by an employee whose duty requires frequent travel within a 50-mile radius of official duty station, and when such use has been approved by the employee's immediate supervisor.

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6 FAM 1933.2 Reimbursement

(CT:GS-164; 06-15-2011)

(State Only)

- a. Reimbursement for expenses incurred for the use of taxicabs, other special conveyances, and privately owned automobiles must be claimed as stated below. Claims may be filed as frequently as necessary, but preferably not more than once a month.
- b. Reimbursement for taxicab expenses may be obtained by filing a claim on Form SF-1164, Claim for Reimbursement for Expenditures on Official Business (original and one copy). If expenses have been incurred in two fiscal years, a separate Form SF-1164 must be used for each fiscal year. As trips are made, the employee must enter the following information: date, point of origin, destination (buildings, offices, or street addresses), cost of fare, and tip for each trip, as provided on the form. Claims for the use of taxicabs between office and home under the conditions specified in 6 FAM 1933.1 must include a narrative justification on Form SF-1164 supporting the official necessity for the expenditure involved. When fares exceed charges for one person, the number of persons accompanying the claimant must be listed on the "From" column on the line directly below the applicable entry. A certification that the claim is correct must be signed by the claimant and the statement that the travel was advantageous to the U.S. Government must be signed by the approving officer.
- c. Reimbursement for tips to taxi drivers is allowable in the following amount: 15 cents when the fare is \$1.00 or less, or 15 percent of the reimbursable fare when it exceeds \$1.00. If the 15 percent is not a multiple of 5 it may be increased to the next multiple of 5.
- d. Reimbursement for the use of a privately owned automobile is authorized for the distance traveled at the rate published by the General Services Administration at the time of travel. The points of travel must be given, and the speedometer readings at the commencement and end of each trip must be shown. Reimbursement should be claimed on Form SF-1164.
- e. Reimbursement for the cost of automobile parking fees, ferry fares, and bridge, road, and tunnel tolls is also allowable unless administratively restricted. When an employee has been provided authorization to use the employee's privately owned vehicle for official business and the employee pays for parking at own duty station on a monthly basis, the employee may be reimbursed for those days on which employee's automobile was used for travel, provided it is administratively determined that the use of rented parking space is necessary because of official business and is advantageous to the U.S. Government.
- f. Reimbursement for expenses incurred for the use of special conveyances other than taxicabs must be claimed on Form SF-1164, Claim for Reimbursement for Expenditures on Official Business.

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6 FAM 1933.3 Administrative Approval

(CT:GS-176; 07-12-2013)

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Before reimbursement is made, claims authorized by 6 FAM 1933.1 must be administratively approved on Form SF-1164, Claim for Reimbursement for Expenditures on Official Business, by the office director, deputy office director, executive officer, budget officer, division chief, administrative officer, or other person designated in writing by one of them, except that claims for taxicabs used between office and home under the conditions set forth in 6 FAM 1933.1 must be approved at a level not lower than administrative officer. A copy of such designation must be forwarded to the Bureau of *Budget and Planning (BP)*.

6 FAM 1934 U-DRIVE-IT (UDI) VEHICLES

(CT:GS-164; 06-15-2011)

(State Only)

- a. Department of State employees may obtain a U-Drive-it vehicle by prior reservation through the Office of General Services Management's Fleet Management Operations Division (A/OPR/GSM/FMO) motor pool dispatch office. Due to the limited number of vehicles available, vehicles will be provided on a first-come, first-served basis.
- b. Vehicles must be requested via telephone by the requesting executive or administrative office to the A/OPR/GSM/FMO motor pool dispatch office between the hours of 8:15 a.m. and 5:00 p.m., Monday through Friday.
- c. Requests must include the name and title of the person(s) who will operate the vehicle, the date and time of pickup, destination, and expected duration.
- d. Due to heavy demands on the limited number of vehicles available, it may be necessary to cancel a request to accommodate a higher-ranking official or for other unforeseen reasons, such as vehicle breakdowns. Requests must therefore be made as far in advance as possible.
- e. Prior to dispatch, the operator will be required to conduct a condition inspection of the vehicle. Prior to operating the vehicle, the operator should notify the motor pool dispatcher of any vehicle deficiencies (such as low fluid levels, dents/scratches, broken glass, and inoperable lights) identified during the inspection.
- f. The intended operator of the vehicle must present to the dispatcher a valid State driver's license qualifying him or her for the type of vehicle to be operated prior to receiving the vehicle. The dispatcher will retain a copy of the operator's license on file.

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6 FAM 1935 AGENCY REPORT OF MOTOR VEHICLE DATA

(CT:GS-164; 06-15-2011)
(State Only)

The Office of General Services Management's Fleet Management Operations Division (A/OPR/GSM/FMO) is required to complete and submit the following major reports:

- (1) Annual Motor Vehicle Fleet Report (OMB A-11, Exhibit 33) submitted electronically to the Office of Management and Budget (OMB) via the Federal Automotive Statistical Tool (FAST) in the August;
- (2) Annual Alternative Fuel Vehicle Report to Congress (copy to the Department of Energy (DOE)) by February 15;
- (3) Annual Property Management Report to the Property Management Branch of the Office of Logistics Operations (A/LM/PMP/BA/PM) by March 15;
- (4) Request in June via the FAST for a waiver of dual-fuel alternative fuel vehicles with no access to alternative fuel in accordance with Section 701 of the Energy Policy Act (EPAct) of 2005; and
- (5) Report in June via the FAST of DOS fueling centers in accordance with Section 246 of the Energy Independence and Security Act of 2007 (EISA).

6 FAM 1936 GREENHOUSE GAS-EMITTING VEHICLES

6 FAM 1936.1 Policy and Objectives

(CT:GS-164; 06-15-2011)

This policy addresses approval authorities and required documentation relative to the acquisition of official vehicles covered by section 141 of the Energy Independence and Security Act of 2007 (EISA), codified in 42 U.S.C. 13212, which prohibits Federal agencies from acquiring certain non-low greenhouse gas-emitting vehicles unless excepted by the Secretary. The objective of this policy statement is to ensure Department of State compliance with EISA section 141.

6 FAM 1936.2 Definitions

(CT:GS-164; 06-15-2011)

Acquisitions: Used generically to include both light-duty motor vehicles and medium-duty passenger vehicles acquired by procurement, lease, transfer, forfeiture, or confiscation.

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Alternative fuel (AF): A non-petroleum-based fuel, such as compressed natural gas, propane, electricity, biodiesel, and ethanol.

Alternative fuel vehicle (AFV): A vehicle capable of operating exclusively or primarily on a non-petroleum-based alternative fuel or, in some cases, a vehicle that operates exclusively or primarily on petroleum-based fuel while simultaneously meeting low greenhouse gas emissions standards set by the Environmental Protection Agency (EPA).

Bi-fuel vehicle: A vehicle that is capable of operating on two different fuels that are stored in separate tanks, and the engine runs on one fuel at a time.

Dual fuel vehicle (DFV): A bi-fuel or flex fuel vehicle; by definition, both vehicle types are classified as AFVs.

Federal Automotive Statistical Tool (FAST): An automated Web-based system co-administered by the General Services Administration (GSA) and the Department of Energy that is utilized by all Federal agencies to report vehicular data.

Flex fuel vehicle (FFV): A vehicle capable of operating equally well on petroleum fuel, an alternative fuel, or any combination of the two, with both fuels stored in the same common tank.

Greenhouse gas (GHG): A gas that traps solar heat in the earth's atmosphere and contributes to global mean temperature.

Greenhouse gas emissions calculator: An EPA-developed spreadsheet tool utilized to determine the net GHG emissions of all planned/actual vehicle acquisitions.

Greenhouse gas emissions score: A numerical assessment (10-point scale) assigned by the Environmental Protection Agency (EPA) that reflects an individual vehicle's carbon dioxide emissions, based on the vehicle's make, model, year of manufacture, fuel type, fuel efficiency rating, and other factors (such as engine size and transmission type).

Gross vehicle-weight rating (GVWR): A gross vehicle weight rating is the maximum allowable total mass of a road vehicle when loaded, including the weight of the vehicle itself plus fuel, passengers, cargo, and trailer tongue weight.

Light-duty motor vehicle (LDMV): Any four-wheeled passenger car, pickup truck, van, or sport utility vehicle (SUV) that has a gross vehicle weight rating (GVWR) of less than 8,500 pounds, is self-propelled, and is capable of exceeding 25 miles per hour on level, paved surfaces.

Low greenhouse gas emitting vehicle (LGHGEV): A vehicle that emits greenhouse gases during operation in a level below a certain threshold defined for that specific vehicle by EPA. This term applies generically to both LDMVs and MDPVs within the context of this policy document.

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Medium duty passenger vehicles (MDPV): Any four-wheeled vehicle that has a GVWR between 8,500 and 10,000 pounds, is self-propelled, and is designed to transport primarily persons, regardless of the intended use.

Metropolitan statistical area (MSA): Geographic entities defined by the Office of Management and Budget (OMB) for use by Federal agencies in collecting, tabulating, and publishing Federal statistics.

Non-low greenhouse gas emitting vehicle (non-LGHGEV): A vehicle that emits greenhouse gases during operation in a level above a certain threshold defined for that vehicle by EPA. This term applies generically to both LDMVs and MDPVs within the context of this policy document.

6 FAM 1936.3 Scope, Applicability, Authority, and Responsibility

6 FAM 1936.3-1 Scope

(CT:GS-164; 06-15-2011)

The policy described herein applies to all State Department bureaus that acquire light-duty motor vehicles (LDMVs) and medium-duty passenger vehicles (MDPVs) for domestic or overseas operation.

6 FAM 1936.3-2 Applicability

(CT:GS-164; 06-15-2011)

- a. Consistent with EISA section 141, the State Department policy described herein applies to LDMVs and MDPVs:
 - (1) Manufactured for sale in the United States, including vehicles acquired for use in law enforcement, investigations and protective services and vehicles destined for overseas operation;
 - (2) Ordered for or acquired by procurement, commercial lease, or GSA Fleet lease after February 22, 2010;
 - (3) Received through inter-agency transfer after February 22, 2010, including vehicles acquired by forfeiture to or confiscation by a law enforcement agency and transferred to State;
 - (4) Directly forfeited to or confiscated by State after February 22, 2010 when held in inventory by State and not transferred to a non-State entity;
 - (5) Intended for any use, including by contractors; and
 - (6) Acquired for shared use at foreign posts under the International Cooperative Administrative Support Services (ICASS) program.
- b. The policy described herein does not apply to:

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- (1) Existing vehicle inventories prior to February 23, 2010;
- (2) Vehicles ordered or received prior to February 23, 2010;
- (3) Vehicles acquired by State and transferred to a grantee or foreign government when State does not take possession of the vehicle title/certificate of origin and the vehicle is not entered into Department accountable property records (see 14 FAM 422);
- (4) Rental vehicles acquired to meet short-term requirements (e.g., less than 60 consecutive calendar days);
- (5) Pickup trucks, stake body trucks, and cargo/panel/step vans with a GVWR of 8,500 lbs. or more, as such vehicles are not designed primarily for passenger transport; and
- (6) Vehicles not manufactured for sale in the United States.

6 FAM 1936.3-3 Authorities and Responsibilities

(CT:GS-164; 06-15-2011)

- a. Consistent with EISA section 141, the Department of State will not acquire any LDMV or any MDPV that is not low greenhouse-gas emitting (LGHGE) as determined by the U.S. Environmental Protection Agency (EPA), unless formally excepted by the Secretary (or designee) based on "functional needs" or "alternative measures" as described below.
- b. The Bureau of Administration, Deputy Assistant Secretary, Office of Operations (A/OPR) is the designated State Department Senior Official for Motor Vehicles and the Environmental Executive for Fleet Transportation and Efficiency (see 1 FAM 211); A/OPR administers the EISA section 141 process under these authorities, including approval or disapproval of exception requests as described below.
- c. The individual responsible for each sub-fleet defined in the Department's Federal Automotive Statistical Tool (FAST) reporting hierarchy is responsible for ensuring compliance with EISA section 141 requirements for all vehicles reported in their respective FAST database; this includes development of an annual acquisition plan, submission of requests for exception, calculation of aggregate sub-fleet emissions "scores," retention of required documents, and response to A/OPR data calls. Responsibility for adhering to acquisition plans and for requesting authority for changes the plans will also reside at the sub-fleet level.

6 FAM 1936.4 Vehicle Acquisition Approvals

(CT:GS-164; 06-15-2011)

- a. Authority to acquire LDMVs and MDPVs as defined herein must be formally requested by the acquiring office and formally approved in advance by A/OPR.

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- b. Every LDMV and MDPV acquisition as defined herein must be either LGHGE or issued an exception by A/OPR in advance of the acquisition.
- c. The following decision path should be utilized to determine the applicability of EISA section 141 requirements to each State vehicle acquisition. A negative response to any of the following questions indicates the acquisition is not subject to EISA section 141 restrictions or the policy described herein. An affirmative response to all of the following questions indicates the acquisition is subject to EISA section 141 restrictions and must be processed as follows:
 - (1) Is the vehicle a LDMV or MDPV?
 - (2) Was the vehicle ordered after 22 February 2010?
 - (3) Will the vehicle be owned, GSA-leased, commercially leased, or transferred from another Federal agency as excess property?
 - (4) Will the vehicle be retained in inventory by the Department?
 - (5) Is the vehicle manufactured for sale in the United States?
 - (6) Is the vehicle self-propelled? and
 - (7) Is the vehicle capable of exceeding 25 mph?
- d. See 6 FAM Exhibit 1936.4, which may be used to determine the required actions for each vehicle in the acquisition plan for which all questions have been answered affirmatively.

6 FAM 1936.5 Annual Acquisition Plans

(CT:GS-164; 06-15-2011)

- a. Before acquisition orders are placed, each sub-fleet manager must develop a fiscal year acquisition plan, calculate an aggregate GHG score for planned acquisitions (via use of a GHG calculator supplied by A/OPR; see the template provided as 6 FAM Exhibit 1936.5(1) and submit the plan to A/OPR for approval.
- b. The aggregate sub-fleet GHG score reflected for planned acquisitions in the calculator's Emissions Summary table must be less than the EISA limit for that sub-fleet's acquisitions (see 6 FAM Exhibit 1936.5(2)). If initial planning results in an aggregate score that exceeds the EISA limit for the sub-fleet (6 FAM Exhibit 1936.5(3)), the sub-fleet manager must either adjust the acquisition plan or request and receive approval for a sufficient number of "functional needs" exceptions to bring the aggregate score below the EISA limit before submitting the plan.
- c. A/OPR will evaluate exception requests from the sub-fleets on a vehicle-by-vehicle basis. Sub-fleet managers must submit an individual written exception request with justification to A/OPR for each non-LGHGEV acquisition in the plan; blanket requests for "functional needs" exceptions (6 FAM 1936.7, EISA

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Section 141, Exceptions may be submitted for specific groups of vehicles as described below. Orders for non-LGHGEVs must not be placed until formally approved by A/OPR via this process.

- d. Requests to alter previously approved acquisition plans must be approved by A/OPR in advance of order placement; such requests must include an updated assessment calculator reflecting the change. A/OPR will authorize mid-cycle LGHGEV acquisitions upon request and will authorize non-LGHGEV acquisitions when the request is accompanied by a fully-justified functional needs exception as described in 6 FAM1936.7a.(2). A/OPR will only authorize mid-cycle non-LGHGEV acquisitions under an alternative measures exception request when the acquisition will not result in the sub-fleet's aggregate GHG score exceeding its respective GHG limit.
- e. A/OPR will consolidate all State Department annual planned and actual acquisitions into a final State aggregate GHG score, and respond to all external reporting requirements.

6 FAM 1936.6 Low Greenhouse Gas Emitting Vehicle Scores

(CT:GS-164; 06-15-2011)

- a. Each model year, EPA establishes GHG emissions ratings for all LDMVs and, beginning in model year 2011, for MDPVs. In order to qualify as a LGHGEV, LDMVs must receive a GHG score of seven or higher when operating on gasoline, diesel fuel or compressed natural gas (CNG) or six or higher when operating on a (non-CNG) alternative fuel (AF). MDPVs must receive a GHG score of six or higher when operating on gasoline, diesel fuel or CNG, or five or higher when operating on a (non-CNG) AF.
- b. Due to differences in GHG emission scores across vehicle types, models and model years, as well as within models in the same model year (depending on vehicle characteristics, such as engine size, fuel type and transmission), each individual vehicle's GHG score must be determined using the EPA Green Vehicle Guide and the EPA Fuel Calculation. If a GHG score for any particular vehicle is not included in the guide (including MDPVs prior to model year 2011), a GHG score must be calculated by cross-referencing the vehicle's minimum fuel economy rating (e.g., the combined city/highway fuel economy rating to the generic GHG scores (via model year link) in the section of the guide entitled "Greenhouse Gas Score."
- c. Combined fuel economy is calculated from the city and highway fuel economy values using the following formula:

Example

Formula: Combined fuel economy = $1 / [(0.55/\text{city fuel economy}) +$

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(0.45/highway fuel economy)]

City fuel economy = 20 mpg

Highway fuel economy = 30 mpg

Combined fuel economy = $1 / [(0.55/20 \text{ mpg}) + (0.45/30 \text{ mpg})]$

NOTE: In using the guide to determine the GHG score, initial data entry requires selection of a state in the United States where the vehicle being acquired may legally be sold; since this is not applicable to vehicles manufactured for sale in the United States but destined for overseas shipment, any state may be selected for those vehicles.

- d. For reporting and compliance purposes, the GHG score will be the score applicable to the fuel type on which the vehicle will actually be operated. Since EPA periodically revises GHG scores for individual vehicles, the GHG "score of record" will be the score on the date the vehicle was ordered. Acquisitions must be reported within the fiscal year in which the vehicle is received, regardless of the date on which the vehicle was ordered.

6 FAM 1936.7 EISA Section 141 Exceptions

(CT:GS-164; 06-16-2011)

- a. EISA section 141 does not contain any inherent exemptions. However, the Secretary (or designee) is authorized to issue an exception based on "alternative measures" or "functional needs" for any non-low greenhouse gas-emitting vehicle (LGHGEV) ordered or received after February 22, 2010; all exceptions must be formally requested and approved. If a LGHGEV is available that meets critical needs, it must be acquired in lieu of seeking an exception for an LGHGEV:

- (1) Alternative measures exception:

- (a) A/OPR may authorize non-LGHGEV acquisitions upon receipt of documentation describing specific alternative measures taken by the requesting sub-fleet to reduce petroleum consumption and GHG emissions; and
- (b) For State, all non-LGHGEVs acquired under an alternative measures exception must be off-set by the acquisition of one or more higher scored LGHGEVs by the sub-fleet requesting the exception. A/OPR will only approve non-LGHGEV acquisitions under this exception when the sub-fleet's aggregate GHG score for all planned LGHGEV acquisitions and non-LGHGEV alternative measures acquisitions does not exceed the EISA limit for the sub-fleet as reflected in the GHG assessment calculator;

- (2) Functional needs exception:

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- (a) A/OPR may authorize a functional needs exception when no LGHGEV is available that meets the needs of the agency. Sub-fleet managers may request a functional needs exception only if no LGHGEV is available to meet mission needs and a suitable number of LGHGEVs cannot be acquired to off-set the non-LGHGEV under an alternative measures exception. All functional needs exception requests must include: (1) an evaluation of available LGHGEVs; (2) a statement of the functional need(s) that cannot be met via acquisition of available LGHGEVs; and (3) a statement of why an available LGHGEV will not meet the stated functional need requirements;

NOTE: No LGHGE MDPVs were manufactured in model year 2010; therefore, if sub-fleet managers cannot off-set a non-LGHGE model year 2010 MDPV acquisition (under an alternative measures exception) in the aggregate by acquiring multiple higher-scored LGHGE LDMVs, a functional needs exception request must be submitted and approved for the model year 2010 MDPV acquisition. This same process may be utilized as applicable for pre-model year 2010 LDMVs or MDPVs acquired in fiscal year 2011 or later; *and*

- (b) Sub-fleet managers may request blanket functional needs exceptions for a group of vehicles under a single request justification when all vehicles covered by the request will perform the same or similar functional duties. Examples of vehicle groups where blanket functional needs exceptions might be warranted include security, law enforcement, investigation, surveillance and protective services duties (where vehicles with expanded interior volume, larger engines, heavier frames, specialized equipment, etc., might be required), as well as duties involving extreme operating conditions (where vehicles will be operated off-road, thus requiring a larger engine, heavier suspension and higher ground clearance). In these instances, a cover memorandum describing the functional needs that cannot be met with available LGHGEVs and an attached list of non-LGHGEV acquisitions that will meet the functional needs may be submitted in lieu of individual justifications. Unlike non-LGHGEVs acquired under an alternative measures exception, vehicles acquired under a functional needs exception are not included in calculation of the aggregate sub-fleet GHG score and thus are not to be included in the GHG assessment calculator. If a functional needs exception request is denied, the acquisition must not be executed.

6 FAM 1936.8 EISA vs. the Energy Policy Act (EPAct)

(CT:GS-164; 06-15-2011)

- a. EISA section 141 prohibits agencies from acquiring non-LGHGEVs. EPAct 1992 42 U.S.C. 13212 requires that at least 75 percent of agency LDMV acquisitions

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in domestic metropolitan statistical areas (MSAs) must be alternative fuel vehicles (AFVs). EPAct 2005 section 701 (42 U.S.C. 6374) requires that domestic dual fuel AFVs must be operated on the AF 100 percent of the time unless issued a waiver by the Department of Energy (DoE). EISA section 141 applies to all LDMVs and MDPVs manufactured for sale in the United States, including those shipped overseas, while EPAct92 and EPAct05 apply to domestically operated light duty vehicles only.

- b. While Federal agencies are required to comply with all three mandates, many AFVs are not LGHGEVs, many LGHGEVs are not AFVs, and AFs are not commercially available for many AFVs. However, the National Defense Authorization Act (NDAA) of 2008 expanded the definition of AFVs to include "other type vehicles that demonstrate a significant reduction in petroleum fuel consumption." Based on this expanded definition, DOE has determined that a LGHGEV that is not capable of operating on an AF may still be counted towards EPAct92 AFV acquisition compliance if the non-AFV LGHGEV is acquired in lieu of a dual fuel vehicle that the agency determines would have qualified for an AF waiver under EPAct05. It is anticipated that this scenario will develop in domestic locations where no AFs are available, as DOE has historically issued EPAct section 701 waivers to dual fuel vehicles located in such areas. A/OPR will utilize these criteria in evaluating domestic LDMV and MDPV acquisition plans and exception requests to ensure that both EISA and EPAct requirements are met; these criteria will not be utilized to evaluate non-domestic LDMV and MDPV acquisition plans and exception requests since the EPAct requirements are only applicable to domestic operations in MSAs.
- c. All non-LGHGEV LDMV and MDPV acquisitions, including AFVs, must still be issued a formal exception under the Energy Independence and Security Act of 2007 (EISA) section 141. Unless an EISA section 141 exception is sought, the acquisition is prohibited even though it may meet EPAct92 AFV requirements.

6 FAM 1936.9 EISA vs. Property Management Regulations

(CT:GS-164; 06-15-2011)

Federal Management Regulation (FMR), Subchapter B, section 102-36.45 states in part that agency procurement policies should require consideration of excess personal property before authorizing procurement of new personal property; 14 FAM 423.6 states that before purchasing new property, excess property should be considered. EISA 141 prohibits the acquisition of non-LGHGEVs (unless excepted), including by interagency transfer. Therefore, while excess non-LGHGEVs must be considered for transfer to fill requirements when available as excess property from other agencies, they are not a required source of vehicle acquisition if EISA 141 mandates cannot be met conditional to the transfer. Any non-LGHGEV transfer from another agency must first be authorized under an alternative measures or functional needs exception as described in 6 FAM 1936.9.

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6 FAM 1936.10 Documentation and Reporting

(CT:GS-164; 06-15-2011)

- a. By September 1 of each year, sub-fleet managers must submit to A/OPR an acquisition plan and completed GHG assessment calculator for all planned acquisitions (as defined herein) in the following fiscal year. Each individual vehicle acquisition must be identified as a LDMV or MDPV and further identified as a LGHGEV or non-LGHGEV; the plan must also identify the EPA GHG score for each vehicle. All non-LGHGEV acquisitions contained in the plan must include an annotation indicating the type of exception being requested (functional needs or alternative measures) and be supported by a formal request for exception as addressed above. The assessment calculator should reflect the sum total of LGHGEVs and non-LGHGEVs to be acquired under the alternative measures exception; vehicles to be acquired under a functional needs exception are not to be reflected in the assessment calculator but must be identified in the acquisition plan. LDMV and MDPV acquisitions not covered by this policy statement (such as vehicles not manufactured for sale in the United States) are not to be included in the assessment calculator or in the plan.
- b. By September 30 of each year, A/OPR will notify each respective sub-fleet manager of plan and exception request approvals/disapprovals; if the plan or any exception requests are disapproved, the sub-fleet manager must revise and resubmit an acquisition plan and greenhouse gas (GHG) assessment calculator that incorporates disapproved acquisitions while meeting the GHG summary score requirement. Sub-fleet managers are encouraged to provide complete and thorough packages for review, as incomplete or unclear packages will delay the approval process, which in turn will delay issuance of authority to proceed with the acquisition plan.

NOTE: Acquisitions ordered prior to February 23, 2010 are not subject to EISA 141 restrictions. Therefore, fleet managers must retain sufficient documentation that reflects non-applicability of EISA 141 restrictions for all LDMVs and MDPVs ordered before February 23, 2010.

- c. By December 1 of each year, each sub-fleet manager must submit to A/OPR a list of LDMVs and MDPVs acquired during the prior fiscal year and a completed GHG assessment calculator reflecting those acquisitions. The list must identify each individual vehicle acquisition as a LDMV or MDPV and must further identify the acquisition as a LGHGEV or non-LGHGEV and the EPA GHG score "of record" for that vehicle. All non-LGHGEV acquisitions must include an annotation indicating the type of exception (functional needs or alternative measures) under which the vehicle was acquired and the date of the A/OPR exception authorization. The GHG assessment calculator must reflect the sum total number of LGHGEVs acquired and non-LGHGEVs acquired under the alternative measures exception; vehicles acquired under a functional needs exception are not to be reflected in the GHG assessment calculator but must be included on

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the acquisition list. LDMV and MDPV acquisitions not covered by this policy statement (such as vehicles not manufactured for sale in the United States) are not to be included in the assessment calculator or in the acquisition list.

- d. Throughout the fiscal year, sub-fleet managers must provide to A/OPR updated acquisition plans and exception requests if the previously approved acquisition plan changes; this includes both increases and decreases to planned acquisitions, as all such changes will impact the ratio of LGHGEV to non-LGHGEV acquisitions and thus will change the overall GHG score. Since each acquisition is assigned a GHG score that impacts both the sub-fleet aggregate GHG score and the overall State Department aggregate GHG score, and since EISA section 141 specifically requires approval of exceptions on an individual vehicle basis, all interim changes to the annual acquisition plan must be formally requested by the sub-fleet manager and approved by A/OPR prior to execution. In instances where interim changes involve acquisition of non-LGHGEVs, an exception request for each non-LGHGEV acquisition must be submitted with the revised plan.
- e. Sub-fleet managers must retain documentation on file for all LDMV and MDPV acquisitions (including all excepted acquisitions). Sub-fleet managers must retain all documents relative to each individual EISA 141 acquisition, including the specifications for each vehicle that were utilized to determine the GHG score for the vehicle and either a hard-copy printout or an electronic screen-capture of the EPA Green Vehicle Guide that reflects the individual vehicle's GHG score "of record." If no GHG score is available on the EPA website, the sub-fleet manager must retain sufficient documentation on file to indicate how the GHG score "of record" was ascertained.
- f. For audit purposes, sub-fleet managers should retain documentation indicating non-applicability of EISA 141 restrictions for all LDMV and MDPV acquisitions not within the scope of this policy.
- g. A/OPR will retain agency-level EISA 141 acquisition data and exception documents on file, and will retain a master agency-level GHG assessment calculator to track, verify and quantify the GHG emissions associated with planned and actual acquisitions. In order to satisfy EISA 141 certification requirements, A/OPR will certify that the master GHG assessment calculator properly and accurately accounts for all vehicle acquisitions in the fiscal year.
- h. A/OPR will audit a random sample of each sub-fleet's EISA 141 documentation each year; sub-fleet managers must make these documents available to A/OPR upon request. Sub-fleet managers must retain all EISA 141 documentation described herein on file for a minimum of five (5) fiscal years.
- i. In the October-to-December timeframe of each year, sub-fleet managers must submit EISA 141 acquisition data for the prior fiscal year via FAST. In keeping with FAST reporting requirements, each vehicle acquisition must be reported in the fiscal year in which the vehicle is actually received, not the fiscal year in which it was ordered. However, with respect to EISA 141, the GHG score "of

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record" reported for each acquisition will be the EPA-defined score on the date the order was placed.

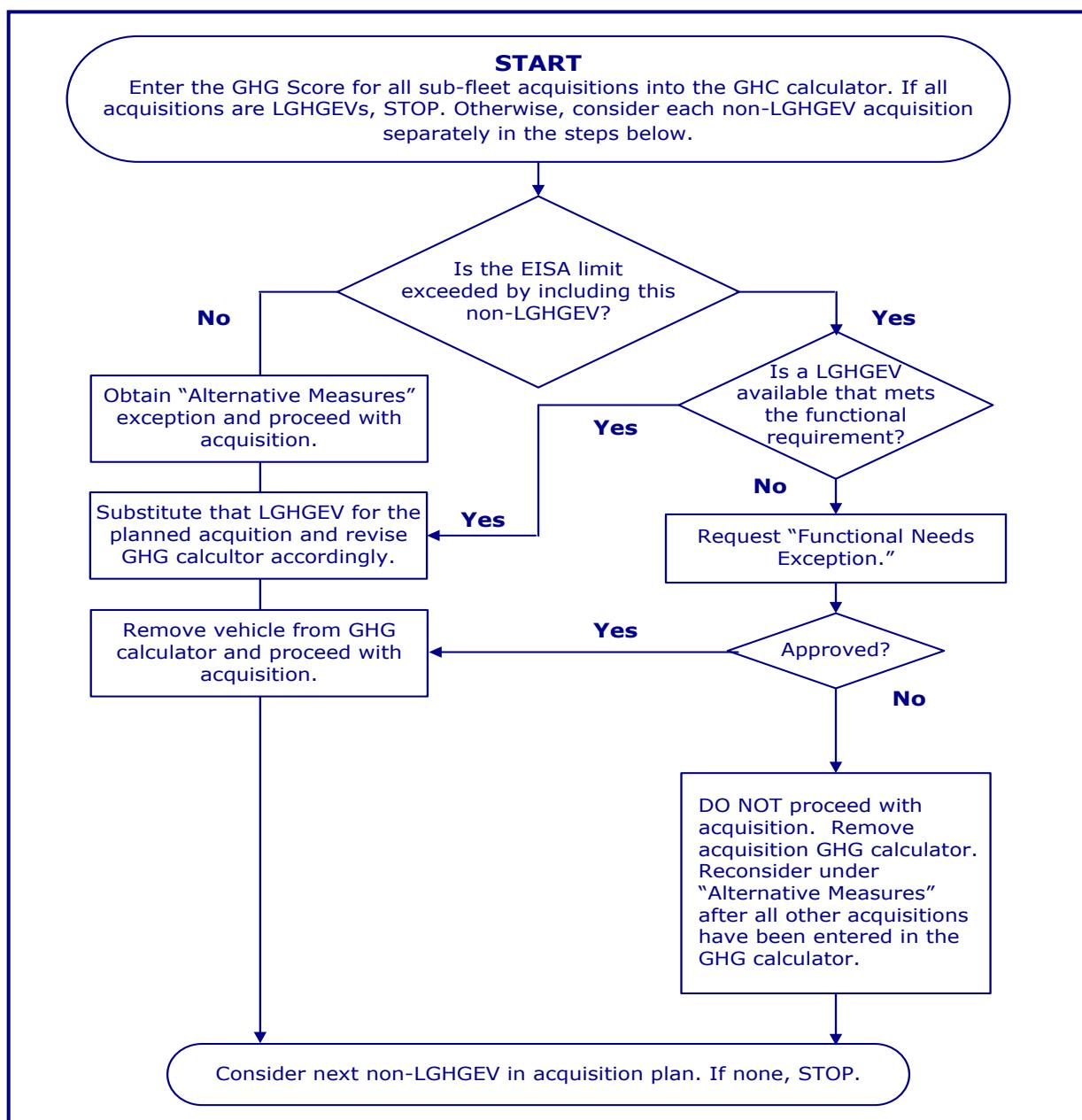
6 FAM 1937 THROUGH 1939 UNASSIGNED

6 FAM Exhibit 1936.4

The Energy Independence and Security Act of 2007 (EISA)

Section 141 Vehicle Acquisition Assessment Process

(CT:GS-164; 06-15-2011)



6 FAM Exhibit 1936.5(1)

Greenhouse Gas (GHG) Assessment Calculator Template

(CT:GS-164; 06-15-2011)

| Federal Vehicle GHG Emissions Calculator | | | | | | | |
|---|---|--|------------------|------------------|------------------|--|----------------------|
| | | Average Annual Mileage: | | | | | |
| | | Cars | Trucks | | | | |
| | | 10,000 | 6,000 | | | | |
| Greenhouse Gas Score Criteria | | Enter the number of cars/trucks acquired by your agency: | | | | | |
| | | # of Cars | | # of Trucks | | CO ₂ Equivalent Performance | |
| GHG Score | Avg. CO ₂ e emissions (grams/mile) | Gas/Diesel / CNG | Alternative Fuel | Gas/Diesel / CNG | Alternative Fuel | Cars (Metric Tons) | Trucks (Metric Tons) |
| | | 215 | | | | | |
| | | 261 | | | | | |
| | | 307 | | | | | |
| | | 353 | | | | | |
| | | 399 | | | | | |
| | | 445 | | | | | |
| | | 491 | | | | | |
| | | 537 | | | | | |
| | | 583 | | | | | |
| 629 | | | | | | | |
| 675 | | | | | | | |
| Totals | | 0 | 0 | 0 | 0 | 0.0 | 0.0 |
| | | EISA Limit: | | | | 0.0 | 0.0 |
| | | Difference: | | | | 0.0 | 0.0 |
| Annual GHG Emissions Summary | | | | | | | |
| Aggregate: 0.0 Metric tons CO ₂ e | | | | | | | |
| EISA Limit: 0.0 Metric tons CO ₂ e | | | | | | | |
| 0.0 Metric tons CO ₂ e | | | | | | | |
| Results: You Comply | | | | | | | |

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**6 FAM Exhibit 1936.5(2)
Sample “Complying” Summary**

(CT:GS-164; 06-15-2011)

| Annual GHG Emissions Summary | | |
|------------------------------|--------------|-------------------------------|
| Aggregate: | 163.2 | Metric tons CO ₂ e |
| EISA Limit: | 178.7 | Metric tons CO ₂ e |
| | 15.5 | Metric tons CO ₂ e |
| Results: You Comply | | |

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6 FAM Exhibit 1936.5(3)
Sample “Non-Complying” Summary

(CT:GS-164; 06-15-2011)

| Annual GHG Emissions Summary | | |
|------------------------------|----------------------------|------------------|
| Aggregate: | 141.7 | Metric tons CO2e |
| EISA Limit: | 138.8 | Metric tons CO2e |
| | -2.9 | Metric tons CO2e |
| Results: | You Owe The Above Quantity | |